

# Health and Human Services Agency California Office of HIPAA Implementation

## POLICY MEMORANDUM

COHI PM-2002/04

**TO: HIPAA Departmental Coordinators  
HIPAA Steering Committee Members**

**FROM: CALIFORNIA OFFICE OF HIPAA IMPLEMENTATION (CalOHI)**

This Policy Memorandum provides the procedures for submission of the federal Extension Compliance Plan for the HIPAA Transactions and Code Sets Standards extension.

<b>Title:</b> Extension Compliance Plan for Electronic and Code Sets Standards (TCS)	<b>Number:</b> COHI PM-2002/04
<b>Subject:</b> Process for submission of your Extension Compliance Plan to the Centers for Medicare & Medicaid Services	<b>Issue Date:</b> April 19, 2002
<b>Reference(s):</b> HIPAA, Standards for Electronic Transactions SB 456 (Speier), Chapter 635, Statutes of 2001 TCS Extension Model Compliance Plan of March 28, 2002	<b>Expiration Date:</b> October 15, 2002
<b>Contact:</b> Ruth Jacobs, California Office of HIPAA Implementation 1600 Ninth Street, Room 400, Sacramento, CA 95814 (916) 651-6905 rjacobs1@ohi.ca.gov	

### Background

The TCS regulation, "Standards for Electronic Transactions" was issued by the Department of Health and Human Services (DHHS) on August 17, 2000, with a compliance date of October 16, 2002.

On December 27, 2001, Public Law 107-105, (HR 3323) extended the deadline for the TCS one year to October 16, 2003, for covered entities that submit a compliance plan to DHHS by October 16, 2002.

The Centers for Medicare & Medicaid Services (CMS) released the TCS Model Extension Compliance Plan on March 28, 2002, with the electronic submission option being released on April 16, 2002. The deadline for compliance plan submission is October 15, 2002.

**To Submit**

**Who**

All State covered entities that will not meet the October 2002 deadline for compliance must complete the model compliance plan.

CMS has indicated that you may file one compliance plan for multiple related covered entities (health plan, clearinghouse, provider) that are operating under a single implementation plan. For example, the Department of Health Services could submit one compliance plan for all of its internal covered entities/programs.

To simplify the activities needed to comply with the plan requirements, each department will be allowed to submit its compliance plan separately, with a copy to CalOHI.

However, if a state covered entity decides not to submit an extension compliance plan, please notify CalOHI as soon as the decision has been made at [Rjacobs1@ohi.ca.gov](mailto:Rjacobs1@ohi.ca.gov) or (916) 651-6905 and provide the factors used to make that decision. If CalOHI is not notified by July 1, 2002, it will be assumed that a compliance plan will be forthcoming.

### **How**

All state covered entities should review the current TCS Extension Compliance Plan as posted on the CMS website: [www.cms.gov/hipaa/hipaa2/default.asp](http://www.cms.gov/hipaa/hipaa2/default.asp) and complete it either in hard copy or electronic format. The electronic format is available at: [www.cms.gov/hipaa/hipaa2/ASCAForm.asp](http://www.cms.gov/hipaa/hipaa2/ASCAForm.asp)

CMS urges all covered entities who intend to submit the plan to do so electronically at the website. You will receive a confirmation number if you do so, as proof of submission.

### **When**

Complete no later than October 15, 2002.

CalOHI is suggesting that you may want to consider completing the compliance plan after the 2002/03 Budget Act is signed and you have more recent information about funding for HIPAA activities.

### **Where**

CMS asks that the form be sent either hardcopy or electronically, but not both.

To mail hardcopy, send to:

ATTENTION: Model Compliance Plans  
Centers for Medicare & Medicaid Services  
P. O. Box 8040  
Baltimore, MD 21244-8040

To transmit your electronic plan, submit it to the email address identified by CMS on the website.

**Copy to CalOHI**

Provide a copy of your compliance plan, either hardcopy or softcopy, by October 15, 2002 to:

California Office of HIPAA Implementation  
1600 Ninth Street, Room 460  
Sacramento, CA 95814

Or

To Ruth Jacobs at: [Rjacobs1@ohi.ca.gov](mailto:Rjacobs1@ohi.ca.gov)

**Questions**

Please contact Ruth Jacobs at (916) 651-6905.

*Original signed by Burt R. Cohen*

BURT R. COHEN  
Acting Director  
California Office of HIPAA Implementation